

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

6.281 ACRES OF LAND, MORE OR
LESS SITUATE IN STARR COUNTY,
STATE OF TEXAS; RUMALDA V.
GOMEZ, *ET AL.*,

Defendants.

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CASE NO. 7:20-CV-011

JOINT STATUS REPORT

The parties file this Joint Status Report, in response to the District Court's April 9, 2020 Order¹ and in preparation of the status conference scheduled for July 14, 2020, and inform the Court as follows:

1. On January 16, 2020, Plaintiff filed a Complaint in Condemnation² and Declaration of Taking³ pursuant to 40 U.S.C. §§ 3113 and 3114 for the taking of a temporary easement to enter in, on, over, and across Defendants' real property located in Starr County, Texas.
2. On January 21, 2020, the Court issued an Order for Conference⁴ and scheduled an Initial Pretrial and Scheduling Conference for April 14, 2020.
3. Defendant Leonel Romeo Alvarez filed an Answer⁵ to the Complaint on March 23, 2020.

¹ Dkt. No. 30.

² Dkt. No. 1.

³ Dkt. No. 2.

⁴ Dkt. No. 5.

⁵ Dkt. No. 22.

4. On March 13, 2020, the United States filed its Opposed Motion for Order of Immediate Possession,⁶ and Defendant Leonel Romeo Alvarez filed his Response⁷ to the Opposed Motion for Order of Immediate Possession on April 3, 2020.
5. On April 9, 2020, the Court issued an Order⁸ setting deadlines and canceling the Initial Pretrial Conference. As part of this Order, the Court set the following deadlines:
 - a. May 29, 2020: Deadline to add, substitute, disclaim, or dismiss interested parties.
 - b. June 12, 2020: Deadline to file briefs on the issue of just compensation.
 - c. July 3, 2020: Deadline to file a joint status report.
 - d. July 14, 2020: Status Conference.
6. On April 27, 2020, the United States filed an Opposed Motion to Dismiss Defendant Santa Irene Alvarez⁹ because she was deceased at the time this action was filed, and the Court issued an Order¹⁰ granting the United States' motion and dismissing Santa Irene Alvarez from this case.
7. Additionally, to date, the United States has filed a Notice of Disclaimer¹¹ for each of the following individuals: Miguel Villarreal, Fidel Alvarez, Rosa Maria Alvarez Caraveo, Sandra A. Suarez, Rumalda V. Gomez, Elodia Saldivar Alvarez, and Jose Antonio Alvarez. The Court subsequently issued Orders¹² dismissing each of the individuals from this action.
8. The parties remaining in the case at this time are as follows: Guadalupe G. Villarreal, Jose I. Villarreal, Noe Villarreal, Iris Lopez a/k/a Iris Garza, the Estate of David

⁶ Dkt. No. 19.

⁷ Dkt. No. 27.

⁸ Dkt. No. 30.

⁹ Dkt. No. 37.

¹⁰ Dkt. No. 38.

¹¹ See Dkt. Nos. 24, 32, 35, 39, 41, 43, 45.

¹² See Dkt. Nos. 31, 34, 36, 40, 42, 44, 47.

Dwayne Lopez, Reynaldo Lopez, the Estate of Exiquio Lopez, Leticia L. Cruz, Reynaldo Alvarez, Jr., Norma Ruth Ozuna, Maricruz A. Zarate, and Leonel Romeo Alvarez.

9. On May 29, 2020, the United States filed an Opposed Motion to Add Parties,¹³ seeking to add the following individuals to this action based on their interests in the property: Marlene Alvarez Guerra, Elisabel Lopez, Abel David Lopez, Migdalia Lopez, Exiquio Raul Lopez, III, Lilliana Lee Lopez, Amy Yvonne Lopez, Maria Teresa Lopez, Miracle Nichole Lopez, Tracy Monique Lopez, Eli Rey Lopez, and Eric Randy Lopez.
10. On June 12, 2020, the United States and Defendant Leonel Romeo Alvarez filed their individual briefs on just compensation.¹⁴
11. In addition to the briefs on just compensation, currently pending before the Court are the United States' Opposed Motion for Order of Immediate Possession¹⁵ and the United States' Opposed Motion to Add Parties.¹⁶
12. The United States and Defendant Leonel Romeo Alvarez have agreed to continue discussions regarding the possibility of reaching an agreement regarding possession of the property for purposes of the right of entry, but have not been able to reach an agreement. The United States is seeking immediate possession in this matter, which Mr. Leonel Romeo Alvarez opposes.
13. Finally, the United States and Defendant Leonel Romeo Alvarez have conferred and discussed the matter of just compensation for the right of entry but have not been able to reach an agreement.

¹³ Dkt. No. 46.

¹⁴ Dkt. Nos. 48-49.

¹⁵ Dkt. No. 19.

¹⁶ Dkt. No. 46.

14. Possession and the issue of just compensation remain in dispute.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Roland D. Ramos, Assistant United States Attorney for the Southern District of Texas,
hereby certify that on July 2, 2020, a copy of the foregoing was served on all parties in accordance
with the Federal Rules of Civil Procedure.

By: *s/ Roland D. Ramos*
ROLAND D. RAMOS
Assistant United States Attorney